

(Published in The Wichita Eagle on February 18, 2011)

ORDINANCE NO. 48-945

AN ORDINANCE AMENDING SECTIONS 5.37.033, AND 5.37.035, OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO GRAFFITI AND REPEALING THE ORIGINALS OF SECTION 5.37.033 AND 5.37.035 OF THE CODE OF THE CITY OF WICHITA, KANSAS AND ORDINANCE NO. 48-915 OF THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA,
KANSAS:

SECTION 1. Section 5.37.033 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Possession of Graffiti Implements by Minors Prohibited. It is unlawful for any person under eighteen (18) years of age to possess, with the intent to place graffiti on the property of another, any graffiti implement while on any public, private or parochial school property, grounds, facilities, buildings, or structures, or within one hundred (100) feet of such properties, or upon the private property of another without the prior written consent of the owner or occupant of such private property. The provisions of this section shall not apply to the possession of felt tip markers by minors attending, or traveling to or from the school at which the minor is enrolled, if the minor is participating in a class at said school which formally requires the possession of felt tip markers."

SECTION 2. Section 5.37.035 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Possession of Graffiti Implements Prohibited in Public Places.

It is unlawful for any person to possess, with the intent to place graffiti on the property of another, any graffiti implement while in, upon or within one hundred (100) feet of any public facility, park, playground, swimming pool, skate park, recreational facility, or other public building owned or operated by the city, county, state, or federal

government, or while in, under or within one hundred (100) feet of an underpass, bridge, abutment, storm drain, spillway or similar types of infrastructure unless otherwise authorized.”

SECTION 3. The originals of Sections 5.37.033 and 5.37.035 of the Code of the City of Wichita, Kansas, and Ordinance No. 48-915 of the City of Wichita, Kansas, are hereby repealed.

SECTION 4. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the Governing Body of the City of Wichita, Kansas this 15th day of February, 2011.

CITY OF WICHITA, KANSAS

By _____
Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to Form:

Gary E. Rebenstorf
City Attorney